

App. F. IX-4

1949-50
(CB)

File No. 154-69

Serial Nos. 1, 2

Previous References.

CB 255-48-1. (C.C. 19 448 49)

CB 383-48-2..

Later References.

CB. 422-49, 1-4

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 2

Part B for oct-49.

SUBJECT

Representation of Sri S. Kainababhai
Principal and District Judge, Bangalore.
Praying for prosecution as I don't like

No. 11061 / CB.

1. 24.10.49

to

to

The Registrar,
High Court of Mysore
Bangalore

17/11

Representation of Mr S. Kanakaratnam,
Principal Distt Sessions Judge Bangalore
- 6/10

Letter no: R.O.C. 1192/4847 of 4/7/49
from the Registrar of High Court of Mysore
forwarding the memorial of Mr S. Kanakaratnam
Jy, Principal District and Sessions Judge
Bangalore, praying for considering his claims
for promotion to act as I class District Judge
as in the case of Srinivasa Gowder —.

1) Mr S. Kanakaratnam, Principal District and
Sessions Judge, Bangalore urges that he inter-
served along with Sri T. N. Mallappa (now
Sri Justice Mallappa), Sri K. C. Srinivasa Gowder
and 3 others that, although he expected to
be always kept in rank with his colleagues
and that, in the allocation of District
Judges sanctioned in G.O. of 14/2/49
(files Y and Z) he was superseded by
the other appointment sanctioned in the
cadre of first grade judges.

2) Apparently Sri Kanakaratnam refers
to the appointment of Sri B. S. Prathapam
appointed as I class District Judge (acting). The
High Court also ^{has stated} ~~was informed~~ that the
appointment in the intermediate
stages of Judiciary has been a
great set-back to the lower class.

Representation of Sri Kanakachari

61
- C.B.

Officers, that the grievance of the applicant is real and that ^{the} hardship ~~caused~~ caused to him by the alleged supersession may be removed.

3) The relative ranks of ~~Sgt~~ Srinath Gowd Kanakachari and others have been fully discussed in paras 1b 1b of the note in and letter of 1/5/48 from the High Court, C.B. Collection 333-48-2 placed below. 'H' 'B'

The confirmations and promotions of District Judges ordered in G.O. dated 11/1/49, appear to have been made ~~according~~ ^{due} having regard to seniority and the principle (Kept in view by the High Court) 'H' 'Y' 'L'

"That the I grade of D.J. Judges should be reserved only for Officers who are fit to be elevated to the High Court Bench when occasion arises for doing so."

4) The High Court may have to be consulted ^{as to} how best ~~to remove~~ the hardship caused to Sri Kanakachari ^{can be removed} without intercepting the existing arrangement.

5) Please put up C.B. Collection

No. 254-48-1 leading to the appointment of Sri B. S. Puttaswamy as Ag. D.J. Judge.

6) The above collection is not ready available. A copy of notification of 10/12/48 appointing Sri B. S. Puttaswamy as District & Sessions Judge and for him as Secy to Govt. How else it is put up

12.9.49

12/10/48

"B"

7) Kind reference is invited to the Council

resolution dated 1-12-48 stating that Sri K.C. Linga Gowder may be promoted to be First Grade St Judge and that Messrs S. Kanakaratnam and B.R. Ramalingaiah may be promoted to be Second Grade St. Judges. Before this resolution could be given effect to,

"R"

it was resolved in the Council meeting held on 21st January 1949, that the number of permanent St Judges may be fixed at six, two in the first, two in the Second and two in the Third Grade. Then the question of filling up the

vacancies in the cadre of St. Judges was taken up for consideration and it was resolved

"H"

at the Council meeting held on 1st Dec. 1948 by another resolution, that, among others ~~to be~~, Sri B.S. Puttaswami,

Lahore Commr., is appointed St. Judge and will be one of the two first grade judges and is posted as Legal Remembrancer and Secy to Govt.,

Law Dept. In accordance with the above

decisions orders were issued appointing Sri

K.C. Lingaiah Gowder as St. Judge, I class

permanent and Sri B.S. Puttaswami as St. Judge,

II class permanent and I class Ag. from 1.1.49

~~(Order No. 6401/C.B. 333-48-1 dated 14.2.49)~~ and Sri S. Kanakaratnam as St. Judge III class permanent and II class

from 1.1.49
Ag. ^x(vide Order No. 6401/C.B. 333-48-1 dated 14.2.49)

8) In Dec. 1948, Sri Kanakaratnam Raj submitted a representation that he may be promoted as a Distt Judge I class and that this rank may be ~~restored~~ ^{so as} to go along with that of Sri S. C. Lingiah Gowder. Kind reference is invited to the note in paras 9 to 10, pages 14 and 15 of the notes in CB file No. 333-48 (1+2) put up. When the entire question relating to the Distt Judges was taken up for consideration, the representation of Sri Kanakaratnam Raj was also before Council and it was perhaps after due consideration that the promotions referred to above were finally decided. ~~whether~~ Any reconsideration of the matter now, is for orders.

Law Secy)

Chief Secy)

Ch

DMR

27.9.49

1880
10/10/49

and
10/10/49

In order. It will have to be considered in Council again, if it is ^{found} necessary to reopen the question.

Min. Secy. }
Chief Min. }

I do not think it necessary or desirable to reopen the question.

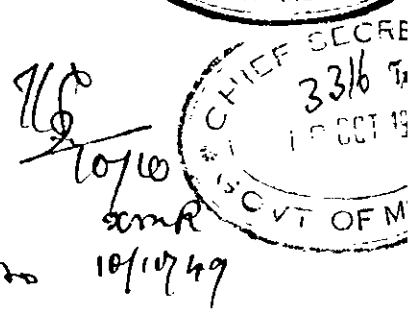
25.9
11/10

"F"

"S"

Office of the	
to	
No.	2357
Date	11/10/49

23A
4 OCT 1949



Serial
No.

no need to reopen the matter.

Recd.
21/10

for perusal.
(Law Secy)

11/10
25/10
25/10/49
25/10/49
25/10/49
25/10/49

Subd with a draft letter
to 25/10/49 Law Secy
25.10.49

25/10/49
27/10/49
27.10.49

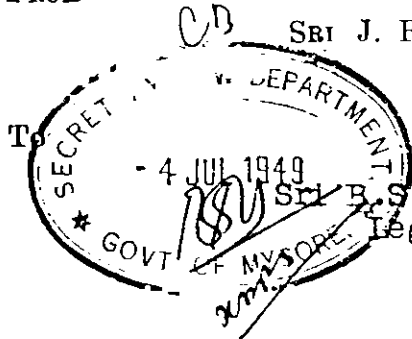
The Registrar
High Court of Mysore
No. 4061/CB of 28/7/49
stating that in Kanbarahna
raja's claims for promotion
cannot be considered.

SULLIVAN CRS

R. O. C. ~~By Dict~~ Enc: one	No. 1192/48-49.
--	-----------------

HIGH COURT OF MYSORE,
Public Office Buildings, Cubbon Park,
Bangalore...2nd...July...1949...~~1948~~..

FROM



SRI J. RUDRAPPA, M.A., LL.B.,
Registrar, High Court of Mysore.

Sri B.S. Puttaswamy, B.A., B.L.,
Legal Remembrancer and Secretary
to Government, Law Department,
Bangalore.

SIR,

In forwarding herewith the memorial of Mr.S.Kanakaratna-
raj, Principal District and Sessions Judge, Bangalore praying
to consider his claims for promotion, I am directed to state
that the appointment in the intermediate stages of the judi-
ciary has been a set back to the lower class of the officers
and that the High Court is in favour of removing the hardship
resulting therefrom as far as possible.

Yours faithfully,

J. Rudrapa
REGISTRAR.

v.

JGR.

To

The Registrar,
High Court of Mysore, Bangalore.

The humble memorial of Mr. S. Kanakaratra-
raj, B.A., B.L., District & Sessions Judge,
Bangalore Division, Bangalore City, most -
respectfully sheweth:-

The petitioner entered Government service
in the Judicial Department so far back as
1924 and has been serving as a Judicial Officer
in several capacities till in 1946 he was
promoted to act as District Judge and appoint-
ed as Legal Remembrancer and Secretary to
Government, Law Department, Bangalore, which
post he held till the end of 1948.

2. That in all the various capacities the
memorialist had to serve he has always been
discharging his duties consciously and to
the satisfaction of his superiors.

3. That when he was entertained in service
he was appointed along with five other candi-
dates of whom two are continuing in the -
Judicial Service namely, Sri. T.N. Mallappa
(Now Sri. Justice Mallappa) and Sri. K.C.
Lingiah Gowder, District & Sessions Judge,
Bangalore, Civil Station, Bangalore.

4. ^{at} That/the time of appointment it was
noted that the order in which the names of the

Officers stood, was not according to seniority.

5. That in the circumstances the memorialist expected to be always kept in rank along with his colleagues.

6. That in the recent changes by which the undersigned was transferred as District & Sessions Judge, it has been ordered that one of his colleagues Sri. K.C.Lingiah Gowder should be promoted to act as First Class District Judge and whereas the undersigned hoped in view of his long and unblemished services to be also promoted to the same grade, he has not been given that grade and has been superseded by the other appointment sanctioned in the cadre of first grade District Judges being filled up otherwise.

7. That the memorialist has considerably suffered on account of this supersession and it works as great hardship and injustice to him since he has always done his best to render faithful and loyal service in whatever capacity he was called upon to serve and has always held a good rank and even received appreciative remarks.

8. That the memorialist humbly represents

that when his colleague Sri.K.C.Lingiah - Gowder was promoted as a First Grade District Judge, the memorialist did not expect to be put down for no fault of his to the detriment of all his further prospects.

9. That this supersession works as a great hardship as he has only a few more years of service left.

10. The High Court will have observed that the memorialist has been earnestly - endeavouring to do his best in the discharge of his duties as the District & Sessions Judge, Bangalore Division, Bangalore, and has been seeking to give entire satisfaction of all his superiors.

11. That the memorialist humbly therefore prays that the High Court may be pleased to consider the claims of the memorialist and be pleased to make suitable recommendation to Government for promotion and thereby remedy the injustice and hardship caused to him by the unmerited supersession that he has suffered as mentioned above.

Bangalore
28/5/49

S. Hanakshubhan
Prinipale Distric
d Sessions Judge
Bangalore

no 4061 / CB

27th Octr. 49
(Camp) Mysore 8

Law
xxxx

The Registrar,
High Court of Mysore,
BANGALORE.

Sir,

Subject: Representation of Sri Kanakaratnaraj,
Principal District & Sessions Judge,
Bangalore, regarding his claims for
promotion.

With reference to your letter No.R.O.C.No.1192/48-
49 dated the 4th July 1949 on the above subject, I am
directed to state that Sri Kanakaratnaraj's claims for
promotion cannot be considered.

Yours faithfully,

Don R 27.10.49
Law Secretary to Government.

SUBJECT Representation of Sri Kanakaratnam, Principal
District and Sessions Judge, Bangalore — Re his
claims for promotion.

Section

File No.

Serial No.

Diary No. of letter replied to.....

No.

To

The Registrar

of High Court of Mysore,
Bangalore.

General and Revenue Secretariat

()

the 19 .

Sri,

Date of issue.....

With reference to your letter
 no. R. O. C. No. 1192 / 1948 dated the
 4th July 1948 on the above subject
 I am directed to state that ~~as per~~
~~the order passed cannot be considered.~~
 Sri Kanakaratnam's claims for promotion
 cannot be considered.

Signed by.....

Yours faithfully

Sd/-

25/10/49

Law Secretary

25/10/49

Sd/-
 25. 10. 49.

List of enclosures.....

Copied by.....

6

Examined by.....